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AF 1652

PTO/SB/21 (01-03)

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| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 09/818,990 | |
| | Filing Date | Mar 27, 2001 | |
| | First Named Inventor | Walke, D. Wade | |
| | Art Unit | 1652 | |
| | Examiner Name | S. Swope | |
| Total Number of Pages in This Submission | 31 | Attorney Docket Number | LEX-0152-USA |

| ENCLOSURES (check all that apply) | | |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - Return Postcard - Exhibits A - D |
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| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|--|
| Firm or Individual | Lexicon Genetics Incorporated Lance K. Ishimoto Reg. No. 41,866 |
| Signature | <i>Lance K. Ishimoto by David W. Hober</i> DAVID W. HOBER REG. NO. 41,071 |
| Date | August 25, 2003 |

| CERTIFICATE OF TRANSMISSION/MAILING | | | |
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| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: USPTO, P.O. Box 1450, Alexandria, VA 22313, Mail Stop AF, on this date: August 25, 2003 | | | |
| Typed or printed | Michelle Klein | | |
| Signature | <i>Michelle Klein</i> | Date | August 25, 2003 |

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**EXPEDITED PROCEDURE
EXAMINING GROUP 1652**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|--|---------------------|-------------------|--------------|
| Applicant(s): | Walke <i>et al.</i> | Group Art Unit: | 1652 |
| Application No.: | 09/818,990 | Examiner: | S. Swope |
| Filed: | 3/27/2001 | Atty. Docket No.: | LEX-0152-USA |
| Title: Novel Human Muscle Proteins and Polynucleotides Encoding the Same (As Amended) | | | |

RESPONSE TO OFFICE ACTION DATED MAY 27, 2003

Mail Stop AF
Assistant Commissioner for Patents
Alexandria, VA 22313

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Sir:

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Applicants acknowledge the receipt of the Office Action ("the Action") mailed on May 27, 2003 (Paper No. 20), which has been carefully reviewed and studied. Reexamination and reconsideration of the application is requested in view of the following remarks. In order to facilitate the Examiner's evaluation of the application, Applicants have attempted to address the rejections in Paper No. 20 in the same order in which they were originally raised.

The response is timely filed, and Applicants believe no fees are due in connection with this response. However, the Commissioner is authorized to charge any required fees or credit any overpayment to Deposit Account No. 50-0892.

RESPONSE

I. Status of the Claims

No claims have been cancelled. No claims have been amended. No new claims have been added.

Claims 1-3 and 6-10 are therefore presently pending in the case. For the convenience of the Examiner, a clean copy of the pending claims is attached hereto as **Exhibit A**.